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IAB # FO2326453

G – Printed pictures of Suspect Guich taken by IAB

H – Printed pictures of scene taken by IAB

Miscellaneous Documents

- Misdemeanor Complaint filed for 148(a)(1) PC
- Booking packet
- Consolidated Criminal History printout
- Incident History Reports for SCT12295-0282, SCT12278-0364, SCT12358-0237
- Deputy Daily Work Sheet for Deputies Craft and [redacted] 65B, 12/23/12
- PM shift in-service for 12/23/12
- TRS training printouts for Deputies Craft, [redacted], [redacted] and [redacted]
- Signed, Admonitions Subject and Witness Forms

761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service

DATE: June 3, 2013
FILE NO:

OFFICE CORRESPONDENCE

FROM: STEPHEN B. JOHNSON, COMMANDER
CUSTODY DIVISION

TO: ALICIA E. AULT, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	FO2326453
Incident:	Significant Force
Incident Date:	December 23, 2012
Unit:	Santa Clarita Valley Station
Suspect:	Michael Guich, MW/01-06-63
Involved Employees:	Deputy Christopher Craft, #[redacted] Deputy [redacted] #[redacted] Deputy [redacted] #[redacted] Deputy [redacted] #[redacted]
EFRC Date:	May 23, 2013

The Executive Force Review Committee (EFRC) consisting of Commanders Stephen Johnson, Bobby Denham, and Ralph Webb met and reviewed the above case.

FORCE POLICY RELATING TO INCIDENT:

Law Enforcement officers are entitled to use the amount of force that is reasonable and necessary to make an arrest, prevent escape, or overcome resistance.

FINDINGS:

Deputies responded to the location regarding a domestic violence call. While talking with the victim at the end of her driveway, the deputies noticed the suspect walking inside of the residence. The deputies ordered the suspect outside the residence.

The suspect hesitantly stepped out of the residence and became verbally abusive and argumentative toward the deputies. The suspect began to walk toward the deputies and was ordered several times to remove his right hand from his right front pants pocket. Fearing the suspect was armed, the deputies drew their firearms and pointed them at the suspect which caused him to comply.

The deputies ordered the suspect to get down on his knees and to lay flat on the ground. The suspect refused to comply and continued to be verbally abusive and argumentative toward the deputies. After the deputies re-holstered their firearms, one of the deputies approached the suspect with his expandable baton deployed while the other deputies approached with the intention of handcuffing the suspect. A struggle with the suspect ensued causing two of the deputies to take the suspect to the ground. The deputies continued to struggle with the suspect in an attempt to handcuff him.

During the struggle, the deputy with the baton still in his hand, struck the suspect once with a "hammer fist" motion to his left rib cage area. The suspect was ultimately handcuffed and taken into custody. The suspect sustained a fractured rib as a result of the hammer strike.

The EFRC determined the force used against the resistive and uncooperative suspect was reasonable, necessary, and justified. The EFRC also determined the tactics used were within Department policy.

RECOMMENDATIONS:

The EFRC recommended the unit commander, Captain Paul Becker, and staff from the Training Bureau conduct a tactical debriefing with all involved personnel regarding the unique circumstances of this incident. The EFRC recommended this tactical debriefing focus on force prevention and alternative methods prior to going hands on with the suspect.

Additionally, the EFRC recommended the unit commander select a few individuals as facilitators and implement tactical communications training to assist deputy personnel from going hands on with suspects too quickly in the future.

SBJ:JER:jer

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 012 - 18123 - 0670 - 146		Date: 12/23/12	Time: 1930
Location: [redacted] Bouquet Canyon Road		City or Station: Saugus, CA 91350	
Bureau/Station/Facility: Field Operations Region I /Santa Clarita Valley		Admin. Investigation: YES ○ NO ◉	
Type of Force: Significant - Impact Weapon - Fractured Rib			
Deputy Injury : YES ○ NO ◉		Suspect Injury YES ◉ NO ○	
☒ Call	☐ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ◉ NO ○	Person Notified: Lt. Dominic J. Valencia	Emp: [redacted]	IAB Roll Out: YES ◉ NO ○

Involved Employee

E 1

Employee # [redacted]	Last Name: Craft	First Name: Christopher	Middle Name:
Sex: ◉ Male ○ Female	Race: W	Unit of Assignment: Santa Clarita Valley Station	Work Assignment (Unit #, Module, etc.): 65B
Shift: ○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty	Age: [redacted] Height: 601	Weight: 230
☐ Injured ☐ Treated ☐ Admitted Hospital:		Coroner Case #	Directed Force ○ Significant Force ◉

E 2

Employee # [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle Name:
Sex: ◉ Male ○ Female	Race: W	Unit of Assignment: Santa Clarita Valley Station	Work Assignment (Unit #, Module, etc.): 65B
Shift: ○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty	Age: [redacted] Height: 600	Weight: 230
☒ Injured ☐ Treated ☐ Admitted Hospital:		Coroner Case #	Directed Force ○ Significant Force ◉

E 3

Employee # [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle Name: [redacted]
Sex: ◉ Male ○ Female	Race: H	Unit of Assignment: Santa Clarita Valley Station	Work Assignment (Unit #, Module, etc.): 64T1
Shift: ○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty	Age: [redacted] Height: 508	Weight: 170
☐ Injured ☐ Treated ☐ Admitted Hospital:		Coroner Case #	Directed Force ○ Significant Force ◉

☐ **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Soehnel	Sammy	D.	SGT	YES ○ NO ◉	YES ○ NO ◉
					YES ○ NO ○	YES ○ NO ○

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Bryski	Tom	W.

Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

Sergeant Patrick J. Mannion [redacted]

Supervisor Completing Form: (**Print Name**) | Emp #: | Copy Provided to Employee by: | Emp #:

Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only

FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 03/12)

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

0 1 2 - 1 8 1 2 3 - 0 6 7 0 - 1 4 6

Involved Employee

E 4

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
○ Male ◉ Female	H	Santa Clarita Valley Station	61

Shift:		Age:	Height:	Weight:
○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty	[redacted]	503	138

	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted Hospital: ______		○ Directed Force ◉ Significant Force

E__

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
○ Male ○ Female			

Shift:		Age:	Height:	Weight:
○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty			

	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted Hospital: ______		○ Directed Force ○ Significant Force

E__

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
○ Male ○ Female			

Shift:		Age:	Height:	Weight:
○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty			

	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted Hospital: ______		○ Directed Force ○ Significant Force

E__

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
○ Male ○ Female			

Shift:		Age:	Height:	Weight:
○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty			

	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted Hospital: ______		○ Directed Force ○ Significant Force

E__

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
○ Male ○ Female			

Shift:		Age:	Height:	Weight:
○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty			

	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted Hospital: ______		○ Directed Force ○ Significant Force

Supervisor's Report on Use of Force
SUSPECT INFORMATION

0 1 2 - 1 8 1 2 3 - 0 6 7 0 - 1 4 6

Suspect Information

S 1

Last Name: Guich | First Name: Michael | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: (●) Male ( ) Female | Race: W | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 49 | Height: 603 | D.O.B. 01/06/1963 | Weight: 185 | Armed? ☐

Booking #: 3409111 | Primary Charge Code: 273.5 PC | Secondary Charge Code: 148(a)(1) PC | Criminal History [redacted]

EMT in attendance? ( ) YES (●) NO Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: Henry Mayo Newhall | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By Doctor: Tracy Lawrence M.D. | Address: 23845 McBean Pkwy, Valencia, CA | Phone #: 661-253-8000

Under Influence: (●) YES ( ) NO | Substance: Alcohol | 5150 a factor in force ( ) YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 12/24/2012 | Time: 0100 | ☒ Audiotape: | ☐ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ( ) YES ( ) NO Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By Doctor: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ( ) YES ( ) NO Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By Doctor: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force

EMPLOYEE / NON-EMPLOYEE INFORMATION

012 - 18123 - 0670 - 146

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Apodaca	Juan	

Non-Employee Witnesses

Last Name	First Name	Middle Name		Age	D.O.B.
[redacted]	[redacted]	[redacted]		[redacted]	[redacted]
Street Address	City	Zip Code	Work Ph.	Home Ph.	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
Last Name	First Name	Middle Name		Age	D.O.B.
[redacted]	[redacted]			[redacted]	[redacted]
Street Address	City	Zip Code	Work Ph.	Home Ph.	
[redacted]	[redacted]	[redacted]		[redacted]	
Last Name	First Name	Middle Name		Age	D.O.B.
[redacted]	[redacted]			[redacted]	[redacted]
Street Address	City	Zip Code	Work Ph.	Home Ph.	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	

☐ Additional Witness

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Guich	S	[redacted]	E-1	UC	NN	
[redacted]	E-2	Guich	S	CT	NN	
Guich	S	[redacted]	E-1	RS/PH	NN	
[redacted]	E-2/E-3	Guich	S	TD	AB	KN/EL
Guich	S	[redacted]Craft	E 1-4	RS/PO	NN	
[redacted]	E-2	Guich	S	CT	NN	
[redacted]	E-3	Guich	S	CT	NN	
[redacted]	E-4	Guich	S	CT	NN	
Craft	E-1	Guich	S	PH/OB	FR	AD
Guich	S	[redacted]Craft	E 1-4	RS	NN	
[redacted]	E-2, E-4	Guich	S	RH	NN	
Guich	S	Craft [redacted]	E-1	UC/RS	NN	
[redacted]	E-2	Guich	S	OC	CP	FA

INTERNAL AFFAIRS BUREAU
USE OF FORCE SUMMARY
IAB CASE #FO2326453

Involved Employee (s):

Christopher Craft, Deputy Sheriff
Employee #[redacted]
Santa Clarita Valley Station
(Impact Weapon, Control Hold)

[redacted] Deputy Sheriff
Employee #[redacted]
Santa Clarita Valley Station
(Take Down, Control Hold, Resistive Handcuffing)

[redacted] Deputy Sheriff
Employee #[redacted]
Santa Clarita Valley Station
(Take Down, Control Hold, Resistive Handcuffing)

[redacted] Deputy Sheriff
Employee #[redacted]
Santa Clarita Valley Station
(Resistive Handcuffing)

Suspect:

Michael Guich
MW/01-06-1963
Booking #3409111

Date: December 23, 2012 (Sunday)

Time: 1841 hours

Location:

[redacted] Bouquet Canyon Road
Saugus, California 91390

SYNOPSIS

The Internal Affairs Bureau assumed the investigation of a Use of Force after learning the suspect experienced a fractured rib on the lower left side of his torso. The incident occurred on December 23, 2012, at approximately 1841 hours, in the city of Saugus.

Suspect Michael Guich was arrested by Santa Clarita Valley Station Deputies Craft and [redacted] for Spousal Assault, 273.5(a) PC. Suspect Guich's [redacted], [redacted] (FW/[redacted], alleged Suspect Guich pulled her out of bed then dragged her thirty feet through the house and out the front door. Suspect Guich then pulled [redacted] down five concrete steps, let go and he then ran off in an unknown direction. [redacted] ran to her [redacted] house (Witness [redacted]) and called the police (see SH-R-49 under **Exhibit A** for further).

Deputies Craft, [redacted] and [redacted] responded to Suspect Guich's residence [redacted] and made contact with [redacted] at the end of her driveway. [redacted] was crying hysterically and told the deputies that she had been assaulted by Suspect Guich and did not know where he was. [redacted] told deputies that Suspect Guich drank 21 shots of "Jack Daniels" (whiskey) between the hours of 1200 and 1700 that day, and usually drinks 20 shots by 1700 everyday.

The above deputies looked over at the Guich's residence and observed a male (Suspect Guich) walking around inside, to which [redacted] stated that it was Suspect Guich. [redacted] advised the deputies that Suspect Guich had "weapons" inside the residence, so Suspect Guich was verbally ordered to step out of the residence. Deputy Craft illuminated the front of the residence and the surrounding property with his radio car spot lights and takedown lights.

Suspect Guich hesitantly stepped out of the residence and asked "Who the fuck is that?" After the deputies identified themselves, Suspect Guich walked out the front door towards the deputies. Deputy [redacted] observed that Suspect Guich had his right hand in his right front pocket and ordered Suspect Guich to stop and remove his hand from the pocket. Suspect Guich stopped walking approximately twenty feet from the deputies but would not take his hand out of his pocket. Suspect Guich was asked again to remove his hand from his pocket, but refused. Fearing that Suspect Guich may have a gun, the deputies drew their firearms and pointed them at Suspect Guich.

Suspect Guich partially complied at this point, removed his hand from the pant pocket and said, "What the fuck are you doing here?" Suspect Guich was ordered three different times to get down on his knees, and was additionally ordered to lay flat on the ground, but he would not comply and continued cussing and questioning the deputies why they were there. Suspect Guich continued to stare at the deputies and was mumbling unknown statements. Deputy Craft, in an effort to get compliance from Suspect Guich, re-holstered his firearm and deployed his expandable baton (ASP) to full span and told Suspect Guich he would be struck by it if he did not comply with their orders. Suspect Guich did not comply.

Deputies [redacted] and [redacted] approached Suspect Guich with the intention of handcuffing him. Deputy [redacted] grabbed Suspect Guich's right wrist and the back of Suspects Guich shirt collar, while Deputy [redacted] grabbed a hold of Suspect Guich's left arm. Suspect Guich attempted to pull away from them so Deputies [redacted] and [redacted] forced Suspect

Guich to the ground in the direction of his (Guich) stomach. On the ground, Suspect Guich tucked both his knees and arms under his body and was attempting to gain leverage to stand up. Deputy [redacted] yelled to his partners that he could not see Suspect Guich's hands. Deputy [redacted] used his body weight to hold Suspect Guich on the ground while Deputy [redacted] placed his left knee on Suspect Guich's left shoulder blade. Deputy [redacted] ordered Suspect Guich to remove his arms from under his (Guich) body and stop fighting, but Suspect Guich did not comply.

Deputy Craft used his portable Sheriff's radio, advising SCC that deputies were involved in a fight. Deputies [redacted] and Craft moved in to help handcuff Suspect Guich, but Suspect Guich was resisting these efforts by keeping his arms under his body and kicking his legs.

Deputy Craft, before attempting to assist with handcuffing Suspect Guich, tried to retract his baton by hitting it on the ground, but it would not close, so he kept it in his right hand as he engaged Suspect Guich. The ground where this incident took place was dirt and gravel.

Deputy [redacted] in an effort to get Suspect Guich out of a "fetal like position," grabbed Suspect Guich's ankles and pulled his (Guich) legs straight out, which caused Suspect Guich to fall flat on his stomach. Deputy [redacted] struggled with Suspect Guich, but was able to pull his right arm out from under his body and get it handcuffed behind his back with Deputy [redacted] assistance.

Deputy Craft, who still had his expandable baton in his right hand, observed Suspect Guich attempt to stand up, so he placed his right knee on Suspect Guich's left calf. Deputy Craft attempted to pull Suspect Guich's left arm out from under his body, using his left hand, and continued to order Suspect Guich to put his hands behind his back, but Suspect Guich refused. Deputy Craft was unable to get control of Suspect Guich's left hand and feared Suspect Guich was arming himself with a firearm from his (Guich) waistband. Deputy Craft, using his right fist, struck Suspect Guich one time with a "Hammer fist" in the left rib cage area, while still holding his baton. Three to five seconds after Deputy Craft struck Suspect Guich, Deputy [redacted] and Deputy [redacted] were able to handcuff Suspect Guich.

Deputy Craft still had his expandable baton (ASP) in his right hand when he struck Suspect Guich. Deputy Craft said the extended portion of the expandable baton was facing away from Suspect Guich, parallel to the ground. Deputy Craft said he believed the expandable baton end (handle portion) was flush with his hand and that he was only striking Suspect Guich with his fist. Deputy Craft said if he struck Suspect Guich with his expandable baton it was not intentional.

Suspect Guich was assisted to his feet and Deputies Craft, [redacted] and [redacted] escorted him (Guich) to Deputies [redacted] and Craft's patrol car. Suspect Guich did not resist this escort, but when he arrived at the patrol car he stiffened his body and refused orders to sit inside. Suspect Guich began cussing and challenged Deputy Craft to fight.

Deputy Craft ordered Suspect Guich several times to sit in the backseat of the patrol car, but Suspect Guich refused these orders. Deputy [redacted] told Suspect Guich if he did not stop resisting the deputies he would be sprayed (OC). Suspect Guich did not comply and was pepper sprayed (OC) by Deputy [redacted] The OC spray had an immediate effect on Suspect Guich and he (Guich) entered the patrol car without further incident.

Field Sergeant Sammy Soehnel #[redacted] (60S) responded to the location. Sergeant Soehnel videotaped the scene where the use of force took place and interviewed the victim, [redacted] on video as well (see **Exhibit F**). [redacted] advised Sergeant Soehnel that she did not witness the contact between the deputies and Suspect Guich.

Detective Richard Welch #[redacted] (61A) responded to the location and interviewed [redacted], and Suspect Guich while he (Guich) was seated in the patrol car. Suspect Guich was argumentative with Detective Welch and tried to speak over him. Suspect Guich told Detective Welch that deputies beat him for no reason and he complied with all the orders given to him. Suspect Guich told Detective Welch he was "buzzed" but not drunk (see **Exhibit E**).

> **IAB Note:** Senior Criminalist Juan Apodaca #[redacted] of the Los Angeles County Sheriff's Department was interviewed by this Internal Affairs Bureau investigator regarding Suspect Guich's blood alcohol level. He was shown medical paperwork from the Henry Mayo Newhall Memorial Hospital Laboratory and Apodaca interpreted Suspect Guich's blood alcohol level to be between a .161 and .198. The range was based on a conversion of serum and plasma to whole blood alcohol concentration.

Suspect Guich was transported to Henry Mayo Hospital by Deputies Jonathan Wilson #[redacted] and Luis Cabrera #[redacted] for an "ok to book." He was treated by Tracy N. Lawrence M.D. At the hospital it was revealed that Suspect Guich sustained a fracture to the left 10th rib. Additionally, Suspect Guich sustained, acute blunt thoracic trauma and chemical conjunctivitis. He received his "ok to book" and was transported to Santa Clarita Station for booking with the approval of Watch Commander Lieutenant Tom Bryski #[redacted].

Lieutenant Bryski responded to Henry Mayo Hospital and interviewed Suspect Guich on video at 1945 hours on December, 23, 2012 (See Suspect Guich's statement below for further).

A semi-automatic Ruger brand rifle (serial #[redacted] was recovered at the location and was booked at Santa Clarita Valley station for safe keeping by Deputy [redacted].

The deputies involved in this Use of Force wrote reports documenting their actions (see **Exhibits A through D**).

INVOLVED PERSONNEL

Christopher Craft
Field Operations Region I
Santa Clarita Station

Work History:

Department Hire Date: 02-11-2002
Date Assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

[redacted]
Field Operations Region I
Santa Clarita Station

Work History:

Department Hire Date: [redacted]
Date Assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

[redacted]
Field Operations Region I
Santa Clarita Station

Work History:

Department Hire Date: [redacted]
Date Assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

[redacted]
Field Operations Region I
Santa Clarita Station

Work History:

Department Hire Date: [redacted]
Date Assigned to Patrol: [redacted]

Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

SUSPECT

Michael Guich MW/50, Booking #3409111

Suspect Guich is on [redacted]

WITNESSES

[redacted]

Juan Apodaca #[redacted]
Senior Criminalist
Los Angeles County Sheriff's Department

INJURIES

Deputy [redacted] reported in his interview (and I observed) that he acquired a minor scratch to his right ring finger and left knee as a result of the struggle with Suspect Guich. He said in his interview he did not report this to his supervisor (Sergeant Soehnel).

> **IAB Note:** Sergeant Soehnel confirmed in an e-mail that he had no information about Deputy [redacted] having scratches and that no medical treatment was sought through the County (by Deputy [redacted]

Suspect Guich sustained a fracture to the left 10th rib, acute blunt thoracic trauma, chemical conjunctivitis, and minor abrasions to the right elbow, left knee and center chest area. Suspect Guich also had an elongated red blotch on his skin near the left, mid rib cage area, that stretched to the left shoulder blade area. There did not appear to be any bruising associated with the blotch.

Pictures of Suspect Guich's injuries were taken at Santa Clarita Valley Sheriff's Station by Internal Affairs Bureau Investigators (see **Exhibits F and G**).

PHYSICAL EVIDENCE

A Compact Disk containing video of the scene of the incident, interview with [redacted] and Lieutenant Bryski's interview with Suspect Guich was obtained from Sergeant Soehnel. Pictures of Suspect Guich's injuries were taken by Internal Affairs Bureau investigators at Santa Clarita Valley Station.

After reviewing the use of force video of the scene provided by Sergeant Soehnel where the use of force took place, this Internal Affairs Bureau investigator subsequently went back to the location to take pictures to provide a more expansive view of the surrounding area (see **Exhibits F and H**).

There was no other notable physical evidence.

INVESTIGATOR OBSERVATIONS

The Internal Affairs Bureau investigators responded to Santa Clarita Valley Station approximately six hours after the Use of Force, after being notified of the injury to Suspect Guich. This investigator went to the scene of the incident a few days later to observe the location and take pictures.

The scene of the incident is a country setting off the main highway (Bouquet Canyon Road) with a dirt road running into the dirt and gravel driveway of the location. The residence is a mobile home type structure bounded by animal corrals and dirt and gravel soil.

WEAPON USED BY DEPUTY PERSONNEL

Expandable baton, personal weapons (hands) and Pepper Spray (OC)

WEAPON USED BY SUSPECT

Personal weapons, hands and feet.

PROPERTY DAMAGE

No property was damaged in this incident.

CRIMINAL INVESTIGATOR/CHARGE FILED

Suspect Guich's arrest was investigated by station Detective Richard Welch. A misdemeanor complaint of Resisting Arrest, 148(a)(1) PC, was filed against Suspect Guich on January 14, 2013, under case number 3GF00004, in San Fernando Court. Suspect Guich's next scheduled day in court is March 28, 2013.

On December 28, 2012, [redacted] signed a complaint refusal form in the presence of Detective Welch regarding the domestic violence arrest of Suspect Guich (see **Miscellaneous Documents**).

LIGHTING AND WEATHER CONDITIONS

This incident occurred during darkness. No street lights or major artificial lighting was observed. A majority of the lighting used during this incident came from spot lights and takedown lights on the patrol vehicle, as well as flashlights, due to the rural environment.

INVOLVED EMPLOYEE STATEMENT

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the recorded interviews and transcriptions.

Deputy Craft

Deputy Craft was interviewed on December 24, 2012, at Santa Clarita Valley Station, by Sergeant Patrick Mannion #[redacted] and Sergeant Laura Haynes #[redacted] of the Internal Affairs Bureau. Deputy Craft waived his right to have representation during the interview.

Deputy Craft imparted essentially the same information he documented in his use of force Supplemental Report (see **Exhibit B**).

Deputy Craft stated that he was assigned to unit 65B the night of this incident. He stated he is a [redacted] and was working with Deputy [redacted]

Deputy Craft said they responded to [redacted] Bouquet Canyon Road in the City of Saugus regarding a domestic violence call, along with Deputy [redacted] and Deputy [redacted] He said there was also an [redacted] (Witness [redacted] with Deputy [redacted] Deputy Craft said he had been at the above location regarding a domestic violence issue a month and a half earlier.

Deputy Craft said they contacted the female victim ([redacted] at the location upon arrival. [redacted] told them that Suspect Guich had assaulted her and had been drinking all day. [redacted] said she had been awakened by Suspect Guich dragging her out of bed and injured her back. Deputy Craft said [redacted] told them that Suspect Guich could possibly be inside the location and that there were weapons inside. Deputy Craft said he believed the last time he was at this residence for domestic violence, they (Deputies) recovered two or three rifles and a shotgun for safekeeping. Additionally at that call, [redacted] told the deputies Suspect Guich had left the location with a handgun. (See Incident History Report from 10/21/2012, tag 282 in **miscellaneous documents**.)

Deputy Craft said after hearing the story from [redacted], he and Deputies [redacted], [redacted] and [redacted] began walking up the driveway of the location. He had parked his car about 20 yards south of the trailer because he knew Suspect Guich had guns. The spot lights from his patrol car where pointed at the house and his overhead lights where lighting up the big property area.

Deputy Craft said they could see what looked like a male walking around inside, near the south window. He said Deputy [redacted] called for Suspect Guich to step out because they did not want to approach the house. Deputy Craft said Suspect Guich began cussing and yelling at them. After a few moments, Suspect Guich stepped out of the front door (West side) of the residence and walked 10-15 feet outside and stopped.

Deputy Craft was asked about their tactical configuration before contacting Suspect Guich. Deputy Craft said that they used his patrol car for cover as they approached the location. Deputy Craft said he and Deputy [redacted] ordered Suspect Guich several times to get on his knees, but Suspect Guich refused and continued cussing and yelling at them. Deputy Craft said Suspect Guich put his (Guich) right hand in his right front pocket. Deputy Craft said he ordered Suspect Guich to take his hand out of his (Guich) pocket and he (Craft) was now pointing his gun (with laser) at Suspect Guich. He said the laser had no effect on Suspect Guich.

Deputy Craft was asked if he observed any kind of bulging or weapons in regards to Suspect Guich's hand being in his pant pocket. Deputy Craft said there was a little bulge and that Suspect Guich had "a little looser pants on." Deputy Craft said afterwards, no weapons were found on the suspect. He said he believed Suspect Guich had a packet of cigarettes, a lighter and keys in his right front pocket. He said the cigarettes would explain the bulge in the pocket, but he did not know they were cigarettes when they were initially talking to Suspect Guich.

Deputy Craft said after a few moments Suspect Guich pulled his hand out of his pocket. He said since Deputies [redacted] [redacted] and [redacted] had their guns out, he (Craft) re-holstered his gun and pulled out his expandable baton. He said he did this in hopes that Suspect Guich would comply and get on the ground.

Deputy Craft said Deputies [redacted] and [redacted] approached Suspect Guich. Deputy [redacted] grabbed Suspect Guich's right arm and Deputy [redacted] his (Guich) left arm. He said Suspect Guich began to pull away and he believed Deputy [redacted] pushed Suspect Guich towards the ground and the "pile kind of went to the ground." He said Suspect Guich put his hands underneath him towards his waistband and pocket area. Deputy Craft said he put out radio traffic at this point that deputies were involved in a fight.

Deputy Craft said he still had his baton out and was trying to strike it on the ground to get it to close, but it would not close. He said he did not want to throw it away and he could not place it back in the holster. Deputy Craft said he placed his right knee on Suspect Guich's left calf because Suspect Guich was trying to stand up. Deputy Craft said he still had the baton in his right hand as he tried to pull Suspect Guich's left arm

out from underneath his body using his (Craft) left hand. Deputy Craft said he pulled on Suspect Guich's left arm for three or four seconds but could not get Suspect Guich's arm out from underneath his body.
Deputy Craft said he felt that Suspect Guich could possibly be armed and this was a high risk situation, so he "Hammer" fisted Suspect Guich in the left ribs using his right hand. He said he still had his baton in his right hand and his hand was at the end of the baton (handle portion). Deputy Craft said the baton was not protruding very far and he did not hit Suspect Guich very hard because, "there was a pile of deputies" and his baton was sticking out. He said after this, Deputy [redacted] and Deputy [redacted] were able to handcuff Suspect Guich and he advised SCC that they were "Code 4."

Deputy Craft said the extended portion of the expandable baton was facing away from Suspect Guich, parallel to the ground. Deputy Craft said he believed the expandable baton end (handle portion) was flush with his hand and that he was only striking Suspect Guich with his fist. Deputy Craft said if he struck Suspect Guich with his expandable baton it was not intentional.

Deputy Craft said Suspect Guich was being belligerent and was yelling as he was walked back to the patrol vehicle. He said as Deputy [redacted] searched Suspect Guich, Suspect Guich told Deputy Craft to take his handcuffs off so they could fight. He said at one point, Suspect Guich tried to turn around on Deputy [redacted] while she was searching him. Deputy Craft said he ordered Suspect Guich several times to sit in the patrol car but Suspect Guich would not comply. Deputy Craft said he told Deputy [redacted] to pull out his pepper spray and then told Suspect Guich, "Hey, we're going to spray you if you don't get in the car." He said Suspect Guich continued to refuse his order so Deputy Craft told Deputy [redacted] to spray (pepper spray) Suspect Guich. He said Deputy [redacted] sprayed Suspect Guich in the face and it immediately worked, and Suspect Guich sat in the patrol car.

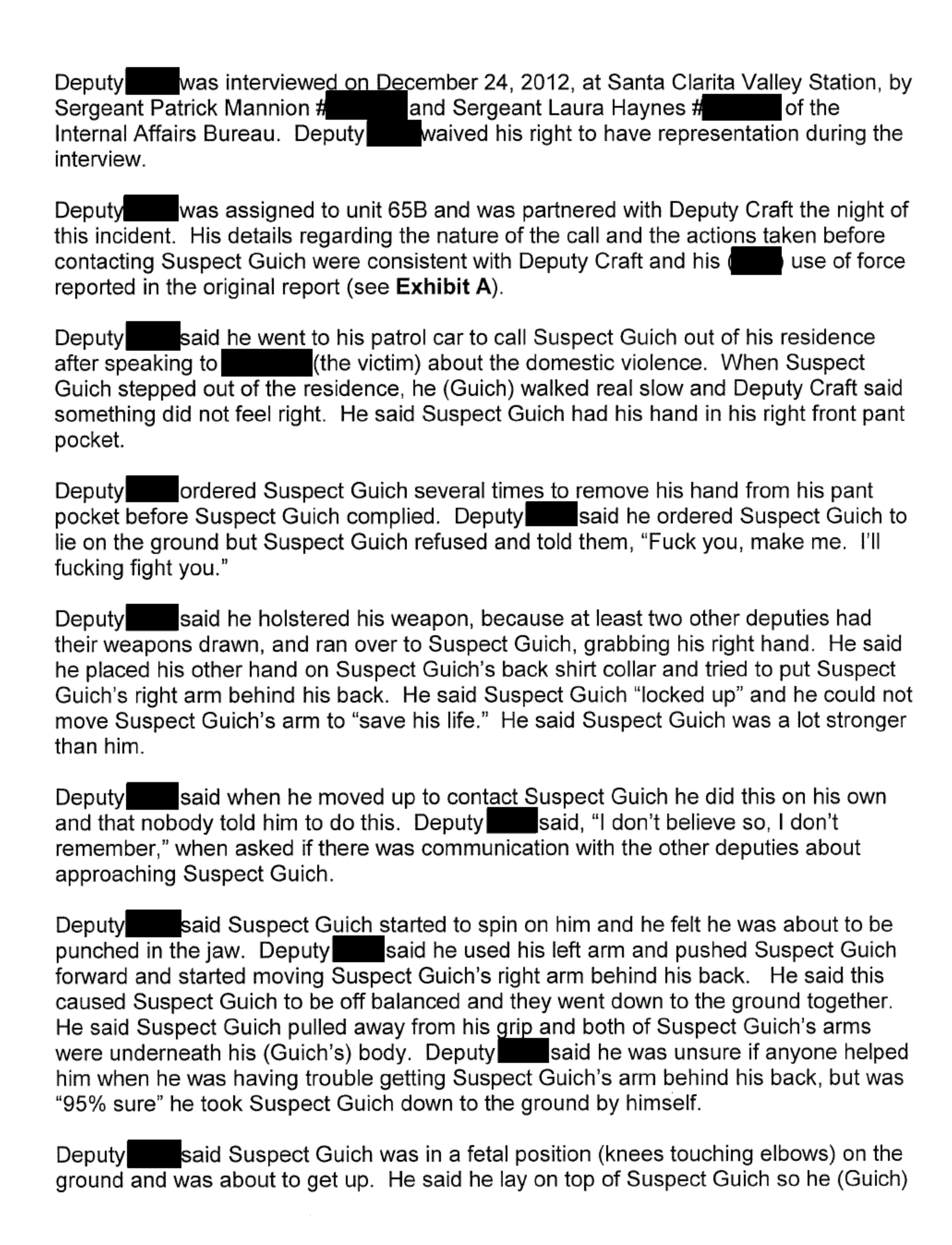
Deputy Craft said he did not see anyone else strike Suspect Guich while he was on the ground during this use of force. He said he did not see anyone kick Suspect Guich during this use of force.

Deputy Craft said during the incident on the ground, that he believed Deputy [redacted] was near Suspect Guich's head, with his [redacted] knee on Suspect Guich's back. He said Deputy [redacted] was to the right of him and she was trying to pull Suspect Guich's right arm from underneath his (Guich) body, as Deputy [redacted] went to Suspect Guich's legs.

Deputy Craft said there was no tactical plan put together before contacting Suspect Guich. He said as they were walking up on Suspect Guich he did tell his partners that he had his baton out and was aware they had their guns drawn.

Deputy Craft said he did not sustain any injuries from this incident.

Deputy [redacted]


Deputy [redacted] was interviewed on December 24, 2012, at Santa Clarita Valley Station, by Sergeant Patrick Mannion #[redacted] and Sergeant Laura Haynes #[redacted] of the Internal Affairs Bureau. Deputy [redacted] waived his right to have representation during the interview.

Deputy [redacted] was assigned to unit 65B and was partnered with Deputy Craft the night of this incident. His details regarding the nature of the call and the actions taken before contacting Suspect Guich were consistent with Deputy Craft and his [redacted] use of force reported in the original report (see **Exhibit A**).

Deputy [redacted] said he went to his patrol car to call Suspect Guich out of his residence after speaking to [redacted] (the victim) about the domestic violence. When Suspect Guich stepped out of the residence, he (Guich) walked real slow and Deputy Craft said something did not feel right. He said Suspect Guich had his hand in his right front pant pocket.

Deputy [redacted] ordered Suspect Guich several times to remove his hand from his pant pocket before Suspect Guich complied. Deputy [redacted] said he ordered Suspect Guich to lie on the ground but Suspect Guich refused and told them, "Fuck you, make me. I'll fucking fight you."

Deputy [redacted] said he holstered his weapon, because at least two other deputies had their weapons drawn, and ran over to Suspect Guich, grabbing his right hand. He said he placed his other hand on Suspect Guich's back shirt collar and tried to put Suspect Guich's right arm behind his back. He said Suspect Guich "locked up" and he could not move Suspect Guich's arm to "save his life." He said Suspect Guich was a lot stronger than him.

Deputy [redacted] said when he moved up to contact Suspect Guich he did this on his own and that nobody told him to do this. Deputy [redacted] said, "I don't believe so, I don't remember," when asked if there was communication with the other deputies about approaching Suspect Guich.

Deputy [redacted] said Suspect Guich started to spin on him and he felt he was about to be punched in the jaw. Deputy [redacted] said he used his left arm and pushed Suspect Guich forward and started moving Suspect Guich's right arm behind his back. He said this caused Suspect Guich to be off balanced and they went down to the ground together. He said Suspect Guich pulled away from his grip and both of Suspect Guich's arms were underneath his (Guich's) body. Deputy [redacted] said he was unsure if anyone helped him when he was having trouble getting Suspect Guich's arm behind his back, but was "95% sure" he took Suspect Guich down to the ground by himself.

Deputy [redacted] said Suspect Guich was in a fetal position (knees touching elbows) on the ground and was about to get up. He said he lay on top of Suspect Guich so he (Guich)

could not stand up, and Deputy [redacted] came in on his right, and Deputy Craft his left. He said he told them he could not see Suspect Guich's hands.

Deputy [redacted] said the deputies could not pull Suspect Guich's hands out from underneath him (Guich). Suspect Guich was rocking back and forth and Deputy [redacted] said he told Suspect Guich, "Get your fucking hands out. Let me see your hands." Deputy [redacted] said Suspect Guich would not comply.
Deputy [redacted] said because Suspect Guich was in a fetal position, he moved his body weight down to his (Guich) ankles and grabbed them. Deputy [redacted] said he pulled Suspect Guich's legs and his knees went straight, which caused Suspect Guich to fall down. He said the deputies were able to get Suspect Guich's arms out and Deputy [redacted] moved back up and held one of Suspect Guich's wrist's as he (Guich) was handcuffed.

Deputy [redacted] said that after Suspect Guich was handcuffed he (Guich) became compliant and Deputies Craft, [redacted] and [redacted] walked Suspect Guich over to the patrol car. Deputy [redacted] said he was talking to the victim [redacted] and it appeared the deputies were struggling with Suspect Guich at the patrol car. He said he heard the deputies tell Suspect Guich to "stop" and get in the car.

Deputy [redacted] said he went over to the patrol car and Suspect Guich stopped in a "dead stance" and began staring at Deputy [redacted] Deputy [redacted] told Suspect Guich if he did not get in the car he (Guich) would be sprayed. Deputy [redacted] said Suspect Guich did not get in the car so he sprayed Suspect Guich for one and one half seconds. He said Suspect Guich complied at that point and went in the car.

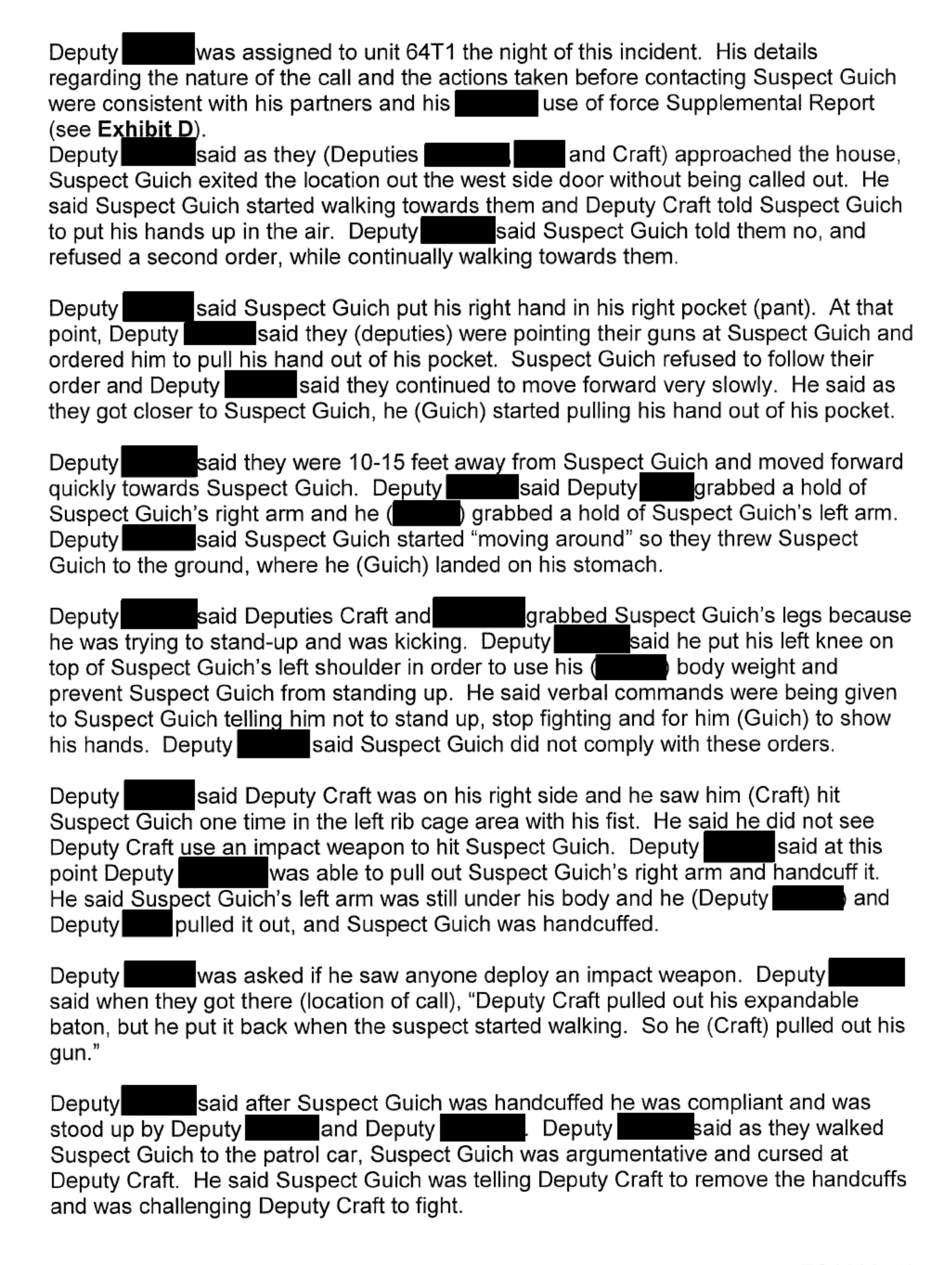
Deputy [redacted] said he did not hit or punch Suspect Guich and did not remember seeing anyone else hit Suspect Guich. Deputy [redacted] said he did remember hearing the clicking sound of Deputy Craft deploying his ASP (expandable baton) when they were standing in formation (before physically contacting Suspect Guich). He said he did not know if Deputy Craft used the ASP but thought Deputy Craft did it to scare Suspect Guich.

Deputy [redacted] said he remembered Deputy Craft putting out radio traffic as soon as he was on the ground with Suspect Guich.

Deputy [redacted] said Suspect Guich was "pretty intoxicated," smelled like alcohol and his eyes were bloodshot and washed over.

Deputy [redacted]

Deputy [redacted] was interviewed on December 24, 2012, at Santa Clarita Valley Station, by Sergeant Patrick Mannion #[redacted] and Sergeant Laura Haynes #[redacted] of the Internal Affairs Bureau. Deputy [redacted] waived his right to have representation during the interview.



Deputy [redacted] was assigned to unit 64T1 the night of this incident. His details regarding the nature of the call and the actions taken before contacting Suspect Guich were consistent with his partners and his [redacted] use of force Supplemental Report (see **Exhibit D**).
Deputy [redacted] said as they (Deputies [redacted], [redacted] and Craft) approached the house, Suspect Guich exited the location out the west side door without being called out. He said Suspect Guich started walking towards them and Deputy Craft told Suspect Guich to put his hands up in the air. Deputy [redacted] said Suspect Guich told them no, and refused a second order, while continually walking towards them.

Deputy [redacted] said Suspect Guich put his right hand in his right pocket (pant). At that point, Deputy [redacted] said they (deputies) were pointing their guns at Suspect Guich and ordered him to pull his hand out of his pocket. Suspect Guich refused to follow their order and Deputy [redacted] said they continued to move forward very slowly. He said as they got closer to Suspect Guich, he (Guich) started pulling his hand out of his pocket.

Deputy [redacted] said they were 10-15 feet away from Suspect Guich and moved forward quickly towards Suspect Guich. Deputy [redacted] said Deputy [redacted] grabbed a hold of Suspect Guich's right arm and he ([redacted]) grabbed a hold of Suspect Guich's left arm. Deputy [redacted] said Suspect Guich started "moving around" so they threw Suspect Guich to the ground, where he (Guich) landed on his stomach.

Deputy [redacted] said Deputies Craft and [redacted] grabbed Suspect Guich's legs because he was trying to stand-up and was kicking. Deputy [redacted] said he put his left knee on top of Suspect Guich's left shoulder in order to use his ([redacted]) body weight and prevent Suspect Guich from standing up. He said verbal commands were being given to Suspect Guich telling him not to stand up, stop fighting and for him (Guich) to show his hands. Deputy [redacted] said Suspect Guich did not comply with these orders.

Deputy [redacted] said Deputy Craft was on his right side and he saw him (Craft) hit Suspect Guich one time in the left rib cage area with his fist. He said he did not see Deputy Craft use an impact weapon to hit Suspect Guich. Deputy [redacted] said at this point Deputy [redacted] was able to pull out Suspect Guich's right arm and handcuff it. He said Suspect Guich's left arm was still under his body and he (Deputy [redacted]) and Deputy [redacted] pulled it out, and Suspect Guich was handcuffed.

Deputy [redacted] was asked if he saw anyone deploy an impact weapon. Deputy [redacted] said when they got there (location of call), "Deputy Craft pulled out his expandable baton, but he put it back when the suspect started walking. So he (Craft) pulled out his gun."

Deputy [redacted] said after Suspect Guich was handcuffed he was compliant and was stood up by Deputy [redacted] and Deputy [redacted]. Deputy [redacted] said as they walked Suspect Guich to the patrol car, Suspect Guich was argumentative and cursed at Deputy Craft. He said Suspect Guich was telling Deputy Craft to remove the handcuffs and was challenging Deputy Craft to fight.

At the radio car, Deputy [redacted] said Suspect Guich refused to get inside. He said Deputy Craft came over to them and asked Suspect Guich to step inside, but he (Guich) refused. Deputy [redacted] said Deputy Craft told Suspect Guich at least three times to step inside the car or he would be pepper sprayed, but Suspect Guich still would not comply. Deputy [redacted] said Deputy Craft asked Deputy [redacted] to pepper spray Suspect Guich, and Deputy [redacted] pepper sprayed Suspect Guich 3-5 seconds in the face. Deputy [redacted] said Suspect Guich complied and stepped inside the patrol car.

Deputy [redacted] said there was a strong odor of alcohol emitting from Suspect Guich's breath and body and his eyes were bloodshot.

Deputy [redacted] said he did not hit or kick Suspect Guich during the incident.

Deputy [redacted] said he was not injured during this incident.

<u>Deputy</u> [redacted]

Deputy [redacted] was interviewed on December 24, 2012, at Santa Clarita Valley Station, by Sergeant Patrick Mannion # [redacted] and Sergeant Laura Haynes # [redacted] of the Internal Affairs Bureau. Deputy [redacted] waived her right to have representation during the interview.

Deputy [redacted] was assigned to unit 61 the night of this incident and had an [redacted] (Witness [redacted] working with her. Her details regarding the nature of the call and the actions taken before contacting Suspect Guich were consistent with her partners and her ([redacted]) use of force Supplemental Report (see **Exhibit C**).

Deputy [redacted] said she was standing behind Deputy [redacted] near the patrol car when Deputy [redacted] ordered Suspect Guich to come outside. She said Suspect Guich walked approximately ten feet outside and into the dirt (driveway). Deputy [redacted] said they were standing near the first patrol car, approximately 20-25 feet away from the house when Suspect Guich stepped out.

Deputy [redacted] said Deputy Craft told Suspect Guich to keep his hands where they could see them (hands) and to get down on his (Guich) knees. She said Suspect Guich refused to comply and made a "waving off" gesture with his hand that to her meant he was not going to listen.

Deputy [redacted] said they started walking towards Suspect Guich when Suspect Guich started "hovering" his hands over his (Guich) pant pockets. She said she was not sure if Suspect Guich put something in his pocket or just put his hand in his pocket, but she then heard Deputy Craft deploy his expandable baton and order Suspect Guich to keep his hands out of his (Guich) pockets. She said Suspect Guich pulled his hands out in a "passive" way but refused to get down to his knees. Deputy [redacted] said she was holding Suspect Guich at gun point during this.

Deputy [redacted] said Deputy [redacted] and Deputy [redacted] contacted Suspect Guich, grabbing a hold of his (Guich) arms. Deputy [redacted] said Suspect Guich stiffened his body in response and told the deputies "Get your hands off me." She said Deputy [redacted] and Deputy [redacted] took Suspect Guich down to the ground, and Suspect Guich planted himself with his elbows and his hands in a fist. She said Suspect Guich tried to stand-up and Deputy Craft went to his (Guich) feet.

Deputy [redacted] said she holstered her gun and grabbed a hold of Suspect Guich's right arm in an attempt to handcuff him. She said Suspect Guich struggled with her, making the top portion of his body "small" and keeping his right arm underneath his body. She said she was unsure if anyone helped her with Suspect Guich's right arm, but she managed to handcuff it and place the wrist behind his back. Deputy [redacted] said Deputy [redacted] helped her handcuff Suspect Guich's left wrist because Suspect Guich kept resisting her efforts by moving his wrist.

Deputy [redacted] said Suspect Guich relaxed after he was handcuffed and was helped to his feet by her and Deputy [redacted]. She said while Suspect Guich was walked to the patrol car, he was trying to "incite" a fight by telling the deputies to take his handcuffs off so he could fight them. She said the walk back to the patrol car was approximately 20 feet and that Suspect Guich did not physically resist.

Deputy [redacted] said when she searched Suspect Guich at the back of the patrol car; he continually tried to turn towards her. When her search was finished, Suspect Guich was told several times to sit in the patrol car, but he refused and wanted to fight. Deputy [redacted] said Suspect Guich stiffened his body, started to turn, and she started losing her grip on Suspect Guich. At this point, Deputy [redacted] said Deputy [redacted] pepper sprayed (OC) Suspect Guich in the face with a three to five second burst. Deputy [redacted] said Suspect Guich complied after being sprayed and sat in the patrol car. Deputy [redacted] said Suspect Guich smelled like he had been drinking something (Alcohol).

Deputy [redacted] said she did not remember Deputy Craft re-holstering his baton when they contacted Suspect Guich and did remember the baton being out after the incident as well. Deputy [redacted] said she did not see anyone use any impact weapons during the incident, and did not see anyone hit or kick Suspect Guich.

Deputy [redacted] said she was not hurt during the incident, but said she did get blood from Suspect Guich on her hand and uniform.

WITNESS STATEMENTS

Witness [redacted]

[redacted] was interviewed on December 24, 2012, at Santa Clarita Valley Station, by Sergeant Patrick Mannion # [redacted] and Sergeant Laura Haynes # [redacted] of the

Internal Affairs Bureau. Lieutenant Dominic Valencia #[redacted] of the Internal Affairs Bureau sat in on the interview.

[redacted] said he was on a [redacted] with Deputy [redacted] the night of this incident and responded with her to the scene of the domestic violence incident. He said when they arrived on scene they pulled up behind the handling deputy (Deputies Craft and [redacted] said the victim ([redacted]) was at the [redacted] house (Witness [redacted] and came out to contact them.

[redacted] said the victim told them that her [redacted] was still inside the house and that there were firearms inside. [redacted] said he stayed with the victim while the deputies contacted Suspect Guich. He said the deputies yelled for Suspect Guich to come out of the house. [redacted] said when Suspect Guich came out; Suspect Guich had his hands "pretty low," possibly in his pockets.

[redacted] said the deputies had their guns drawn and gave Suspect Guich verbal commands to get on the ground, but Suspect Guich did not comply. In addition, [redacted] said deputies told Suspect Guich to keep his hands out of his pockets and "Let me see your hands." He said the deputies approached Suspect Guich and attempted to handcuff him, but he (Guich) was "extremely" resistive. [redacted] said he did not know who the deputies were that grabbed Suspect Guich. [redacted] described Suspect Guich's resistive behavior as, "Tensing up, he, he brought his hands in towards his chest and was real tense, from what I saw."

[redacted] said a deputy grabbed one hand (Suspect Guich) and another deputy grabbed the other hand, and brought Suspect Guich to the ground. [redacted] said Suspect Guich did not go to the ground hard. [redacted] said Suspect Guich went to his knees, then to the ground. He said he saw deputies grab hands and legs and "basically do control holds." [redacted] said he thought Suspect Guich was trying to stand-up. [redacted] said he was "20 yards away or so" from where the deputies approached Suspect Guich. He said his view was impeded by the patrol cars and the deputies, who were in front of the suspect.

[redacted] said he heard a dog barking and growling, so he walked closer to the deputies to make sure the dog was not going to interfere with anything. [redacted] said it seemed the dog knew something was going on with the owner (Suspect Guich), and he wanted to get "eyes" on the dog. He said he then walked back to the victim as the deputies brought Suspect Guich to the patrol car. He said he did not know who handcuffed Suspect Guich and did not see him (Guich) get picked up off the ground. [redacted] said he did not see the deputies put Suspect Guich in the patrol car and did not see him get pepper sprayed.

[redacted] said one deputy had his ASP (expandable baton) out as they approached Suspect Guich, but he did not see the deputy strike Suspect Guich with it (ASP). [redacted] also stated that he did not see anyone hit Suspect Guich when he (Guich) was on the ground, and said at that point he was looking for a dog that was growling. [redacted] said there were multiple dogs running around and that the dog he was keeping an eye on

was a black Labrador. He said there were no outside porch lights and the lighting being used to illuminate Suspect Guich were flashlights and lights from the radio cars.

Witness [redacted]

[redacted] was videotaped at the scene of the incident by Sergeant Soehnel. She advised him that she was next door when the deputies arrived. She said she did not witness the contact between the deputies and Suspect Guich. (see **Exhibit's A and E** for further statements regarding the Domestic Violence, and **Exhibit F** for the video interview).

Witness [redacted]

Witness [redacted] was interviewed over the telephone on March 12, 2013, by Sergeant Patrick Mannion of the Internal Affairs Bureau. This interview was digitally recorded.

Witness [redacted] said he was at his [redacted] house [redacted] when [redacted] came to the house, disheveled and crying. He said she was slurring her words and said her [redacted] (Suspect Guich) had dragged her out of bed.

Witness [redacted] said he dialed the Sheriff's and handed [redacted] the phone. He said when the Sheriff's arrived; he walked her down to the bridge. He said he spoke to one of the deputies and asked for them to please tell [redacted] to stop bothering his [redacted] and that she and [redacted] (Suspect Guich) get drunk and are a nuisance.

Witness [redacted] said he did not see the deputies make contact or get in an altercation with Suspect Guich. Witness [redacted] said he went back to his house and went inside because it was Christmas Eve. He said he did hear the deputies call Suspect Guich out of his (Guich) house.

<u>SUSPECT MICHAEL GUICH</u>

Suspect Guich was interviewed on December 24, 2012, at Santa Clarita Valley Station, by Sergeant Patrick Mannion #[redacted] and Sergeant Laura Haynes #[redacted] of the Internal Affairs Bureau. Prior to this interview, Suspect Guich was interviewed by Lieutenant Tom Bryski #[redacted] (Santa Clarita Valley Station Watch Commander) at Henry Mayo Hospital, approximately an hour and a half after the use of force occurred.

Suspect Guich said he was alone at his house when he saw lights through the front window and his dogs were barking, so he got up to see who was outside. He said the deputies were calling him by his first name and told him to step outside. He said the deputies were pointing guns at him, told him to lay down on the ground, and Suspect Guich asked "Why." Suspect Guich said the deputies kept coming closer to him and he did not immediately comply with the deputies orders and said he was holding a lighter and cigarette in his hand.

Suspect Guich was asked later in his interview how many times the deputies had to tell him (to get down) before he complied. He said "Probably maybe two times." In Suspect Guich's interview with Lieutenant Bryski he said he was trying to light a cigarette when he was being told to get down. He also said he was "thrown down," but then changed that and said he went down. Later, Suspect Guich told Lieutenant Bryski, "There was no reason for them to throw me to the ground."

Suspect Guich said he did go down to the ground on his knees like he was told and then down to his chest with his hands back. He said when he got down to his chest he was kicked in the left ribs. Suspect Guich said he was handcuffed, picked up, and then walked past three horse stalls to a vehicle (patrol car), where he was told to "Watch my head." He said as his head was being pulled, another deputy shook his "mace" and sprayed him in the face. He said he was then thrown into the back seat of the car. Suspect Guich said he was not resisting when this occurred.

Suspect Guich said he was kicked at least twice in the left ribs and did not know if he (Guich) put his hands behind his back or if the deputies pulled them back. Suspect Guich was asked if he was punched during the incident and he responded, "Not really punched." [Sic] He said there was a deputy who had a "telescopic baton" and was "beating" it (baton) on Suspect Guich's metal horse stall. He said this occurred after he was handcuffed and the deputy did not hit him, but the deputy was "Making the tough guy, I'm gonna [Sic] get you type thing." Suspect Guich described the deputy with the baton as being "The guy with no hair, the big white guy."

Before being interviewed by Internal Affairs Bureau investigators, Suspect Guich told Lieutenant Bryski, "I think I got a couple shots to the head or the eye or whatever on the right side." Lieutenant Bryski looked at Suspect Guich's right eye and commented that it was red "probably from the pepper spray." Suspect Guich said, "Maybe that's what it is. It's irritated."

Suspect Guich was asked if he had been drinking (Alcohol). He said he had been drinking when he was watching the football game, and the amount was "Probably one and a half cocktails." Suspect Guich said the alcohol he was drinking was Jack Daniels. Suspect Guich during this question was making a hand motion that seemed to indicate the size of the alcoholic drink to be approximately 16 ounces in size. However, Suspect Guich disagreed with this and said the drink "was not that much."

During Lieutenant Bryski's interview of Suspect Guich, Lieutenant Bryski commented that he smelled "a lot of alcohol" on Suspect Guich. Suspect Guich said, "Yes sir. I was not driving. I was at home."

Suspect Guich said there was at least four male and one female deputy at the location. He said he did not know who kicked him, handcuffed him, or pepper sprayed him. He said he did not resist the deputies and did not kick at them.

Suspect Guich said he did not know at the time, when the deputies arrived at his house, why they were there. He did admit that he and his [redacted] had an argument earlier that day and did not know she had left the location.